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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,568	03/08/2001	Masayuki Kan	H-970	5369

24956 7590 12/13/2005

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EXAMINER

POND, ROBERT M

ART UNIT PAPER NUMBER

3625

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/800,568	KAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Robert M. Pond	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/8/01</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

The Applicant amended claims 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, and 26. All pending claims 1-28 were examined in this final office action as necessitated by amendment.

### **Pertaining to Priority**

Applicant's filing of Foreign Priority Papers is acknowledged.

### **Pertaining to Objection of Specification-Abstract**

The Applicant amended the abstract: Objection is withdrawn.

### ***Response to Arguments***

Applicant's arguments filed 06 April 2005 have been fully considered but they are not persuasive. M2P discloses a pre-installed application (VAIO Autodemo) providing quick access to service and support information and allows for online registration. In the very same paragraph of the disclosure noted above, M2P discloses a traditional product registration card that when returned allows the purchaser to access a private web site area dedicated to product purchasers where they can download software updates, purchase VAIO product accessories. The Examiner is confident that M2P in combination with PRN teaches and suggest a) furnishing the customer side with pre-loaded online

registration application that provides the address of an online registration site,  
and b) linking a product web page to the registered product.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1. Claims 1-28 are rejected under 35 USC 103(a) as being unpatentable over PR Newswire (Paper #20040929, PTO-892, Item: U hereinafter referred to as "PRN"), in view of M2 Presswire (Paper #20040929, PTO-892, Item: V hereinafter referred to as "M2P").**

PRN teaches the system and method of a new electronic commerce site [www.epsonsupplies.com](http://www.epsonsupplies.com) dedicated to selling supplies and accessories for Epson consumer and commercial products. PRN teaches the web site providing its consumers with a convenient and secure method of ordering inkjet replacement cartridges, special papers, and other accessories. PRN teaches (U: see pages 1-2):

- using prompts that lead consumers to the most appropriate merchandise for their Epson products and includes images for most items.
- providing a reorder feature.

- selling refurbished product with new warranties (please note examiner's interpretation: refurbished product belonged to a previous owner who at least either traded-in the product, or sold the product, abandoned the product, or gave the product to another).

PRN teaches all the above as noted under the 103(a) rejection and teaches a) an online registration- for consumers when they make their first purchase, b) each consumer being greeted with personal welcome page on subsequent online visits to the site after registering online, and c) selling to consumers refurbished products via the web site available with new warranties (U: see pages 1-2). PRN, however, does not teach a consumer product having capability to access the online registration web site. M2P teaches Sony computer products being sold with a one-year warranty which can be extended to three years by purchasing an additional warranty pack. M2P teaches Sony computer products containing a special pre-installed software application known as VAIO Autodemo that provides quick access to service and support information and allows for online registration (please note: online registration application includes network address to make online connection to registration site), and further teaches a traditional product registration card that when returned allows the purchaser to access a private web site area dedicated to product purchasers where they can download software updates, purchase VAIO product accessories (V: see at least page 2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of PRN to implement on the consumer product an

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online registration application as taught by M2P, in order to allow Epson consumers to register newly purchased refurbished products online, and thereby attract consumers to online service.

PRN and M2P teach all the above as noted under the 103(a) rejection and teach a) selling refurbished product with new warranty to a consumer, and b) online registration of refurbished product, but do not teach the consumer requesting removing the product from registration. It would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of PRN and M2P to disclose removing a product from registration, since one of ordinary skill in the art would ascertain the need to remove original owner registration of a previously owned product that is being refurbished and sold with a new warranty.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert M. Pond  
Patent Examiner  
December 8, 2005